

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

DOUGLAS DESEAN LOGAN,

Plaintiff,

V.

TYRONE OLIVER,

Defendant.

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NO. 5:24-cv-00352-MTT-ALS

ORDER OF DISMISSAL

Plaintiff Logan, a prisoner in Wilcox State Prison in Abbeville, Georgia, filed a pro se 42 U.S.C. § 1983 complaint.¹ ECF No. 1. On initial review of the case, Plaintiff was ordered to either pay the \$405.00 filing fee for a civil action or file a proper and complete motion to proceed *in forma pauperis*. ECF No. 3. Additionally, Plaintiff was ordered to recast her complaint. *Id.* Plaintiff was given fourteen days to take these actions and was cautioned that her failure to do so could result in the dismissal of the complaint. *Id.*

More than fourteen days passed following entry of that order, during which Plaintiff did not pay the filing fee, move for leave to proceed *in forma pauperis*, file a recast complaint, or otherwise respond to the Court's order.² As a result, Plaintiff was ordered

¹ Plaintiff indicates that she is a transgender female, and she asks to be referred to as Logan or by feminine pronouns. ECF No. 1 at 5-6.

² Although Plaintiff filed a motion after entry of the Court's order, the motion did not relate to any of the ordered actions and was not otherwise responsive to the order.

to show cause why this case should not be dismissed based on her failure to comply with the Court's order. ECF No. 5. Plaintiff was given fourteen days to respond and was cautioned that her failure to do so would likely result in the dismissal of this case. *Id.*

More than fourteen days have now passed since the show cause order was entered, and Plaintiff has not responded to that order. Therefore, because Plaintiff has failed to respond to the Court's orders and has otherwise failed to prosecute this case, it is hereby **ORDERED** that this action be **DISMISSED WITHOUT PREJUDICE**. *See* Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (per curiam) ("The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.") (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).

SO ORDERED, this 29th day of January, 2025.

s/ Marc T. Treadwell

MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT